

REMARKS

Claims 1-64 are pending. Claims 1, 20, 39, 58 and 60 are the only independent claims.

In Applicant's March 19, 2004 response to the previous Office Action, the Examiner was requested to check box 13 on the Office Action Summary sheet, in view of the fact that the specific reference to the claim for domestic priority under 35 U.S.C. § 119(e) was included in the first sentence after the title in the specification. However, the final Office Action dated June 2, 2004 contained a Summary sheet that did not have an item 13. In the next Office Action, it is requested that a specific acknowledgment be included of Applicant's claim for domestic priority to the prior provisional application 60/157,142.

In the Office Action, claims 1-13, 20-32, 39-52, 15, 34, 54, 58 and 60-64 (including all of the independent claims) were rejected under 35 U.S.C. § 102(e) as unpatentable over U.S. Patent 6,105,007 (Norris). Claims 16-18, 35-38, 55-57 and 59 were rejected under 35 U.S.C. § 103 as unpatentable over Norris. Claims 14, 33 and 53 were rejected under 35 U.S.C. § 103 as unpatentable over Norris in view of "Mortgage made Easy OnLine."

Claim 1 recites, *inter alia*, a noteworthy feature that an output is generated which includes a comparison of at least part of a credit profile with a determined credit financing opportunity. In an exemplary embodiment, the output shows a comparison of the user's current credit card payments (credit profile) to the payments he or she would have to make in connection with the determined credit financing opportunities. Of course, the claims are not limited to the illustrated embodiments.

It is noted that the recitation makes clear that the *output* itself *includes* the recited comparison.

Norris, on the other hand, allows for real time applications at a kiosk designed for that purpose. The output of the kiosk includes an indication, for example, that the loan has been approved, and that funds have been transferred, and copies of agreements with an electronic signature set in place are printed out for the user. The output may also include actual credit, debit, or smart cards applied for at the kiosk or the terms of the financial transaction that may have been approved by the credit bureau.

However, contrary to the assertion in the Office Action, the *output* in Norris does not include *any* comparison of any part of a user-input credit profile with a determined financing opportunity. Accordingly, claim 1 is believed clearly patentable over Norris for at least this reason. Independent claims 20, 39, as well as amended independent claims 58 and 60, also recite a substantially similar feature and are believed patentable for substantially similar reasons.

In the Office Action, the Examiner stated that he disagrees with this characterization of Norris. At page 10 of the Office Action, in “Response to the Amendment,” the Examiner took the position that the above-mentioned feature is taught at col. 6, lines 45-64 of Norris. This is incorrect.

First, the issue is what the *output* itself includes. To meet the claim feature, the output of the kiosk Norris would have to include the comparison. It is not enough that what is output is *determined on the basis of* some comparison. However, it is quite clear from a reading of the cited portion of Norris that no *comparison* is *output*. The actual output of the kiosk in Norris is described above and does not include any comparison.

The only output referred to at col. 6, lines 45-64 is an output, on the monitor, of the terms of an approved transaction, allowing the user to electronically sign an approved loan agreement for example. This output does not include any comparison, still less a *comparison*

of the user's *current* credit card payments (credit profile) to the payments he or she would have to make in connection with the determined credit financing opportunities.

In another portion of the Office Action, the position is taken that col. 8, lines 42-67 teaches the recited comparison. This is also incorrect.

The output mentioned in this section includes prompts to the user to enter personal information, and the printing of a credit denial letter. No mention is made of any output of any comparison. Again, the fact, if true, that some comparison may be made somewhere to determine whether a denial should be issued is irrelevant since the claims recite that the output itself includes the comparison, not merely that it is based on a comparison.

It is not understood how any of the outputs listed by Norris can remotely be considered as including a comparison, still less the recited comparison. For at least this reason, the independent claims are believed clearly patentable over the Norris reference.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application

In view of the above, each of the claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Respectfully submitted,

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